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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/854,978	05/14/2001	Scott LeKuch	YOR920000702US3	9086

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EXAMINER

LEWIS, ADAM M

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 01/12/2004

4

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/854,978

Applicant(s)

LEKUCH ET AL.

Examiner

Adam M. Lewis

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities:

Applicant(s) claim relationship and priority to several applications, yet failed to fill in the application numbers.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Ruedisueli et al. ("Ruedisueli", US# 5,838,819).

As per claim 1, Ruedisueli teaches a computing system for incorporating physical paper input into a graphical user interface (GUI), said computing system comprising:

a computing device input system for recording a physical writing using an electronic pen and, responsive to a user's input, for selecting a region of said recorded physical writing (Ruedisueli, col. 3, lines 24-29; col. 5, lines 54-60; Figure 7b);

an object creation manager device for creating an object representation of said selected region of said recorded physical writing (Ruedisueli, col. 5, lines 61-65); and

an object support component of said GUI for supporting use of said created object representation by said GUI (Ruedisueli, col. 6, lines 13-25).

Independent claims 11 and 17 are similar in scope to claim 1, and are therefore rejected under similar rationale.

As per claim 2, which is dependent on claim 1, Ruedisueli teaches the computing system of claim 1 wherein said object support component of said GUI supports use of said created object representation as a clipboard element that can be pasted into an application (Ruedisueli, col. 1, lines 62-65).

As per claim 3, which is dependent on claim 1, Ruedisueli teaches the computing system of claim 1 wherein said object representation of said selected region is supported as a reminder note (Ruedisueli, col. 5, lines 7-12).

As per claim 4, which is dependent on claim 1, Ruedisueli teaches the computing system of claim 1 wherein said object representation of said selected region is displayed in a window of said GUI (Ruedisueli, col. 4, lines 57-67).

As per claim 5, which is dependent on claim 1, Ruedisueli teaches the computing system of claim 1 wherein said computing system further comprises a display for displaying said GUI and said representation of said physical writing (Ruedisueli, Fig. 9, col. 8, lines 15-28).

As per claim 6, which is dependent on claim 1, Ruedisueli teaches the computing system of claim 1 wherein said selected region is indicated by a user manipulating said electronic pen for defining a region within said recorded physical writing (Ruedisueli, col. 5, lines 54-60; Figure 7b).

Dependent claim 15 is similar in scope to claim 7, and is therefore rejected under similar rationale.

As per claim 7, which is dependent on claim 1, Ruedisueli teaches the computing system of claim 6 wherein said region is defined by one of circling said region of said physical writing or by tapping corner boundaries of said region (Ruedisueli, col. 5, lines 54-60; Figure 7b).

Dependent claims 16 and 19 are similar in scope to claim 7, and are therefore rejected under similar rationale.

As per claim 8, which is dependent on claim 1, Ruedisueli teaches the computing system of claim 1 wherein a user indicates a desire to select a region of said physical writing by tapping a menu bar (Ruedisueli, col. 10, lines 4-17).

Dependent claim 14 is similar in scope to claim 8, and is therefore rejected under similar rationale.

As per claim 9, which is dependent on claim 1, Ruedisueli teaches the computing system of claim 1 wherein a user indicates a desired type of object representation to be created by said object creation manager device by selecting an item from a menu bar (Ruedisueli, col. 10, lines 4-17).

As per claim 10, which is dependent on claim 1, Ruedisueli teaches the computing system of claim 1 wherein said computing input device is comprised of a digitizer input system, and wherein said electronic pen is embodied as a pen that emits a signal that is detectable by said digitizer input system (Ruedisueli, col. 3, lines 59-67 and col. 4, lines 1-4).

As per claim 12, which is dependent on claim 11, Ruedisueli teaches the method of claim 11 further comprising the step of indicating a desire to select a region of said physical writing to said input system (Ruedisueli, col. 5, lines 54-60; Figure 7b).

As per claim 13, which is dependent on claim 11, Ruedisueli teaches the method of claim 11 further comprising the step of indicating a type of object representation to be created by an object creation manager device (Ruedisueli, col. 5, lines 61-65).

Dependent claim 18 is similar in scope to claim 13, and is therefore rejected under similar rationale.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Shojima et al. (US# 4,718,103) teaches a method and apparatus for on-line recognizing handwritten patterns.

Koga et al. (US# 4,730,186) teaches an input integrated flat panel display system.

Kusunuki et al. (US# 4,860,372) teaches a real time handwritten character input system.

Shojima et al. (US# 5,592,565) teaches a hand-written character recognition apparatus with a personal dictionary preparation function.

Root (US# 5,606,674) teaches a graphical user interface for transferring data between applications that support different metaphors.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adam M. Lewis whose telephone number is 703-305-0720. The examiner can normally be reached on M-Th 7:00-4:30, Alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on 703-308-0640. The fax phone number for the organization where this application or proceeding is assigned is 703-746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

al

Kristine Kincaid
KRISTINE KINCAID
SUPERVISORY PATENT EXAMINER
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